Single Bench (1)

Floor

(3)

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH
AT BILASPUR

Writ Petition No. 101 **of 2005**.

Petitioner

Smt. Rekhaben Korani
W/o. Late Basantlal Korni,
aged about 60 years, resident of
Ramsagar Para Raipur (C.G.)

R.R. No. 27/1/05
Presented by Sri Alok Kumar Dubey
dated 12-1-05

VERSUS

Respondents :

1. Municipal Corporation Raipur
Through Commissioner
Raipur (C.G.)
2. State of Chhattisgarh through Secretary, urban Administration & Development D.K.S. Bhawan Mantralaya , Raipur (C.G.)

PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF SUITABLE DIRECTIONS ORDERS OR WRIT INCLUDING WRITS IN THE NATURE OF MANDAMUS, CERTIORARI, PROHIBITION ETC.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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मामला क्रमांक W.P.No.101/2005 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

8-11-2006

Shri Shashank Dubey, Sr. Adv with Shri Neelabh Dubey, Advocate for the petitioner.

Shri H.B.Agrawal, Sr. Adv. with Shri Manish Agrawal, Advocate for the respondent No. 1.

Shri Sushil Dubey, Govt. Adv. for the respondent No. 2/State.

Heard learned counsel for the parties.

Writ Petition No. 659/2005, Writ Petition No. 101/2005 and Writ Petition No. 102/2005 are being disposed of by this common order as petitioners of these petitions have filed these petitions against respondents to restrain them from demolishing their permanent construction over their own land as they apprehend that in widening the road at Ramsagar Para, Raipur where their properties are situated, their constructions may be demolished.

The respondent No. 1-Municipal Corporation in the return filed in Writ petition No. 101/2005 which they have adopted for the purposes of other two writ petition, have not disputed the ownership of the petitioners to the properties which are subject matter of the writ petitions.

Learned counsel for the petitioner submits that the respondents cannot demolish the buildings situated over their own land without legally acquiring the same and after paying due compensation.

This submission is not disputed by learned counsel for the respondent no. 1.

In view of the submissions of the counsel for the parties, the instant petitions are disposed of with a direction to the respondents not to demolish the property belonging to the petitioners without acquisition of their land.

Sd/-
Dhirendra Mishra
Judge

P.T.O.